

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

ACDA-05 IO-10 CAB-02 COME-00 DOTE-00 EB-07 FAA-00

/083 W

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R 191303Z SEP 75

FM AMEMBASSY VIENNA

TO SECSTATE WASHDC 6686

INFO AMEMBASSY BONN

USMISSION BERLIN

AMEMBASSY BERLIN

AMEMBASSY COPENHAGNE

AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

C O N F I D E N T I A L VIENNA 8014

EO 11652: GDS

TAGS: CSCE, PFOR, EAIR, AU

SUBJECT: AUSTRIAN CIVIL AIR TALKS WITH EAST GERMANY

REF: VIENNA 7917

1. SUMMARY: AUSTRIAN EFFORTS TO NEGOTIATE STANDARD CIVIL AIR AGREEMENT WITH GDR HAVE FAILED. GDR, WITH SOVIET BACKING, CONTINUES HARD LINE ON OVERFLIGHT RIGHTS TO WEST BERLIN. END SUMMARY.

2. DURING CONVERSATION ON OTHER SUBJECTS WITH FOREIGN

MINISTRY CIVIL AVIATION EXPERT (DENGLER), ECON/COMLCOUNS

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ASKED ABOUT OUTCOME OF GOA'S RECENT EFFORTS TO NEGOTIATE

CIVIL AIR AGREEMENT WITH GDR. DENGLEER WHO WAS IN CHARGE OF THIS TASK, WENT INTO SOME DETAIL IN OUTLINING DIFFICULTIES AND FRUSTRATIONS ENCOUNTERED BY AUSTRIANS. HIGHLIGHTS OF THESE ARE AS FOLLOWS.

3. HE SAID GOA MOTIVATION FOR AN AGREEMENT WAS TO PLACE CIVIL AIR RELATIONS WITH GDR ON "AN ORDERLY BASIS". A SPECIFIC OBJECTIVE WAS TO TEST GDR POST-CSCE REGARDING OVERFLIGHT RIGHTS TO WEST BERLIN.

4. DURING EARLY PART OF AUGUST, GOA TOOK INFORMAL SOUNDING WITH SOVIETS REGARDING PROSPECT THAT DGR MIGHT GRANT OVERFLIGHT RIGHTS TO WEST BERLIN AND RECEIVED A FIRM "NO PROSPECT" FROM THE RUSSIANS. SOVIETS APPARENTLY INDICATED THAT CSCE HAD NO BEARING ON BERLIN ACCESS AND NOTED THAT QUADRIPARTITE AGREEMENT APPLIES ONLY TO

GROUND AND NOT AIR ACCESS.

5. IN SUBSEQUENT NEGOTIATIONS WITH GDR, EAST GERMANS PROPOSED AMENDED FIRST FREEDOM RIGHTS CLAUSE EXCLUDING OVERFLIGHTS TO WEST BERLIN. AUSTRIANS DID NOT ACCEPT THIS SINCE IT WOULD NOT GIVE THEM FULL FIRST FREEDOM RECIPROCITY AND COUNTERED WITH AN AGREEMENT WITHOUT FIRST FREEDOM RIGHTS CLAUSE. THIS "SHOCKED" GDR DELEGATION. SUBSEQUENTLY AUSTRIANS DECIDED NOT TO NEGOTIATE TRADITIONAL TYPE OF CIVIL AIR ACCORD BUT RATHER AN AGREEMENT REGULATING CHARTER TRAFFIC BETWEEN THE GDR AND AUSTRIA, ACCOMPANIED BY A PROTOCOL COVERING BOTH SCHEDULED AND UNSCHEDULED TRAFFIC. IN ESSENCE THIS AGREEMENT ESTABLISHES PRINCIPLE OF RECIPROCITY ON CHARTERS OPERATED BY AUSTRIANS AIRLINES AND INTERFLUG, INCLUDING CONSULTATIONS ON FREQUENCY, CAPACITY AND FARES. DENGLEER GAVE US COPY OF AGREEMENT AND PROTOCOL ON CONFIDENTIAL BASIS, WHICH WE WILL SUBMIT BY AIRGRAM.

6. COMMENT: IT WAS CLEAR FROM DENGLEER'S COMMENTS  
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THAT AUSTRIAN DELEGATION WAS MIFFED BY GDR'S HARD LINE ON AN AMENDED FIRST FREEDOM RIGHTS CLAUSE AND THEREFORE DECIDED NOT TO GO BEYOND THE ROUTINE CHARTER UNDERSTANDING AND PROTOCOL THAT WAS FINALLY NEGOTIATED. THESE TALKS WERE AN EXAMPLE OF AUSTRIANS' EXPLORING SOLUTION OF BILATERAL ISSUES WITH EAST EUROPEAN COMMUNIST COUNTRIES WITH REFERENCE TO IMPLEMENTATION OF CSCE PROVISIONS (PARA 2 REFTTEL); THEY ALSO, OF COURSE,

REFLECT STRONG COMMERCIAL MOTIVATION (AUSTRIAN AIRLINES)  
IN LEAVING NO STONE UNTURNED TO GET A PIECE OF THE  
WEST BERLIN TRAFFIC SOMETIME IN FUTURE. BUCHANAN

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## Message Attributes

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